IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

WP(C).No. 30643 of 2007(W)

PETITIONER:

S.SELVARAJ,VAYALAKOM,
PARASUVACKAL P.O., THIRUVANANTHAPURAM DISTRICT
(CHARGEMAN, RETIRED ON 31.05.2007 FROM
THIRUVANANTHAPURAM CENTRAL DEPOT)

BY ADV. SREEVALSAM GOPALAKRISHNAN

RESPONDENTS:

K.S.R.T.C., REPRESENTED BY THE MANAGING
DIRECTOR, K.S.R.T.C., THIRUVANANTHAPURAM.

BY ADV.SRI.K.PRABHAKARAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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W.P.(c).No. 30643 OF 2007

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Dated this the 25th day of October , 2007

JUDGMENT

Petitioner has approached this court for payment of DCRG and Commuted Value of Pension overlooking seniority in connection with the treatment of his wife for cancer. I heard learned counsel for the respondent also. Counsel for the respondent points out that there is nothing on record to show that Smt. Suchetha.L. is the wife of the petitioner. It is to be noted that petitioner retired as Chargeman on 31/05/2007. I feel that some relaxation from the seniority can be given to the petitioner.

Having regard to all facts, the writ petition is disposed of as follows:

There will be a direction to the first respondent to consider whether Smt.Suchetha.L., the name mentioned in Ext.P1 is the wife of the petitioner with reference to the records with the Corporation. If it is found that she is the wife of the petitioner, there will be a direction to the first respondent to pay to the petitioner the amount covered by the bills produced by the

petitioner before this court within a period of six weeks from the date of production of a copy of this judgment. Over and above that, if the petitioner is able to produce any material to show that petitioner had to incur any further sums in connection with the treatment of his wife, the first respondent will release the amount equivalent to the bills produced within a period of six weeks from the date of production of the bill subject to the condition that the total amount released will not exceed the DCRG or Commuted Value of Pension whichever is higher. The petitioner may produce any bills which the petitioner has to support his claim for payment of higher amount than the amount warranted by the bills produced before this court within one week from today.

(K.M.JOSEPH, JUDGE)

sv.